

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 10-2653 JB

DERRICK IVAN JIM,

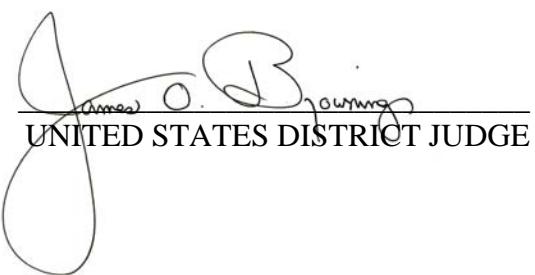
Defendant.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on the United States' Motion in Limine to Prohibit the Defendant from Commenting on Consequences of Verdict, filed December 20, 2011 (Doc. 69) ("Motion"). The Court held a hearing on December 30, 2011. The primary issue is whether the Court should order Defendant Derrick Ivan Jim, his counsel, and his witnesses to refrain from referencing the consequences of a guilty verdict in the presence of the jury. Jim filed no response to this Motion. At the hearing, Jim indicated that he does not oppose this Motion. See Transcript of Hearing at 23:5-9 (December 30, 2011)(Court, Chacon) ("Tr.").¹ The Court agrees that there should be no discussion in front of the jury about possible punishments and sentences. Accordingly, the Court will grant the Motion.

IT IS ORDERED that the United States' Motion in Limine to Prohibit the Defendant from Commenting on Consequences of Verdict, filed December 20, 2011 (Doc. 69), is granted. Defendant Derrick Ivan Jim, his counsel, and his witnesses are ordered not to reference the consequences of a guilty plea in the presence of the jury.

¹The Court's citations to the transcript of the hearing refer to the court reporter's original, unedited version. Any final transcript may contain slightly different page and/or line numbers.



James O. Bowering
UNITED STATES DISTRICT JUDGE

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